

Craig Williams Attorney at Law, P.L.L.C.
State Bar #014929
P.O. Box 26692
PRESCOTT VALLEY, AZ 86312
TEL.: (928) 759-5572
FAX: (928) 759-5573
Email: craigwilliamsllaw@gmail.com
Attorney for Defendant

2012 JAN 19 PM 4:45
SANDRA K. LAGHAM, CLERK
BY: *[Signature]*

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

STEVEN DEMOCKER,

Defendant

} 1300CR201001325

REQUEST FOR DISCLOSURE:
DNA Evidence

(Hon. Gary Donahoe)

This Request for the following items of discovery is made pursuant to Rule 15.1, Arizona Rules of Criminal Procedure, and Brady v. Maryland, 373 U.S. 83 (1963)¹.

1. All DNA laboratory REPORTS.
2. All DNA laboratory NOTES, from evidence intake to disposition.
3. All forensic biology laboratory REPORTS, including presumptive testing and serology.
4. All forensic biology NOTES, including presumptive testing and serology, from evidence intake to disposition.

1. In order to comply with Brady, "the individual prosecutor has a duty to learn of any favorable evidence known to the others acting on the government's behalf in this case, including the police." Kyles v. Whitley, 514 U.S. 419 (1995), Strickler v. Greene, 527 U.S. 263 (1999).

In Brady, the Court held "that the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution." The Court has since held that the duty to disclose such evidence is applicable even though there has been no request by the accused, U. S. v. Agurs, 427 U.S. 97 (1976), and that the duty encompasses impeachment evidence as well as exculpatory evidence. U.S. v. Bagley, 473 U.S. 667 (1985). Moreover, the rule encompasses evidence "known only to police investigators and not to the prosecutor."

a) If any photographs were taken, please provide digital files or color scans or prints of film images.

5. List of any abbreviations and/or acronyms used in laboratory notes.

6. Any and all other items contained in the case file.

7. STR data (including Y-STR data), if relevant

a) CD or other electronic media containing the following electronic files:

i) Sample files ("raw data") for ALL runs relevant to the case.

For current work, these files have a suffix of .fsa. For older cases, the files will have no suffix.

ii) GeneMapper® projects for ALL runs relevant to the case. For current work, these files have a suffix of .ser. For older cases, please provide GeneScan® and GenoTyper® projects.

iii) All matrices (if relevant) used in the case, included in the folder with the relevant run(s)

b) Print-out of GenoTyper® or GeneMapper® data. .

c) Any handwritten notes on the electropherograms should be legible

d) Documentation of the injection volume(s) and injection time(s) for each sample, including reinjections.

8. DNA quantitation data.

– printouts

9. Legacy systems, if relevant.

a) Slot blots

– duplicate photos or high quality scans of slot blots

b) AmpliType PM+DQA1 data

– duplicate photos or high quality scans of dot blots

c) D1S80 data

– duplicate lumigraphs of data

d) RFLP data

– duplicate autoradiographs of data

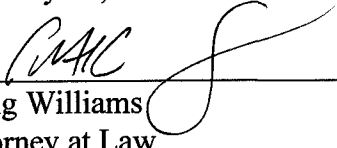
10. Current forensic biology and DNA protocols, including *interpretation guidelines* and *database references*.

11. Summary of proficiency test results from each analyst who worked on the case.

12. Copy of any logs that document unexpected results. This would include contamination events, sample switches, and any other detected errors. Such logs might be variously termed "unexpected results," "corrective action," "contamination," "extraneous DNA" or other similar terms. If a central log is not maintained, please provide a statement to that effect.

13. Copy of all communications and communication logs between all analysts and any other parties, including attorneys, investigators, and other analysts.

RESPECTFULLY SUBMITTED this January 19, 2012.



Craig Williams
Attorney at Law

Copies of the foregoing delivered this date to:
Hon. Gary Donahoe, Judge of the Superior Court (electronic e-mail)
Jeff Paupore, Steve Young, Yavapai County Attorney's Office
Greg Parzych, Attorney for Defendant
The Defendant

By:  _____